

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, CANVASSING THE ELECTION RETURNS OF THE JOINT GENERAL ELECTION OF MAY 09, 2009 FOR THE ELECTION OF TWO PLACES ON CITY COUNCIL, PLACES 1 AND 3; PROVIDING FOR A SAVINGS, REPEALING AND SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas duly authorized an election to be held within the City of Frisco, Texas ("City) on May 09, 2009 (the "Election"), for the purpose of submitting to the resident qualified electors of the City a ballot for the purpose of electing Council Members, Places 1 and 3; and

WHEREAS, the Collin County Election Administrator that held said Election have duly made the return of the results thereof, and said returns have been duly delivered to this City Council; and

WHEREAS, the City Council finds and declares that the meeting at which this Ordinance is considered open to the public as required by law, and that the public notice of the time, place and purpose of the meeting was given as required by Vernon's Ann. Texas Government Code, Section 551.041, as amended,

WHEREAS, there were cast in said election 3513 early votes as shown in the official election results heretofore attached as Exhibit "A" made a part of this Ordinance, lawfully submitted to the City Council of the City of Frisco, Texas, and filed with the City Secretary of said City; and

WHEREAS, there were cast in said election 5373 election day votes as shown in the official election results heretofore attached as Exhibit "B" lawfully submitted to the City Council of the City of Frisco, Texas, and filed with the City Secretary of said City; and

WHEREAS, the Combined Early Voting and Election Day Accumulated totals (cards cast) resulted in the following:

CITY COUNCIL, PLACE 1

	<u>Votes</u>	<u>Percentage (%)</u>
HAROLD COLVIN	284	11.37%
BOB ALLEN	2214	88.63%

CITY COUNCIL, PLACE 3

	<u>Votes</u>	<u>Percentage (%)</u>
PAT FALLON	1649	57.36%
HUNT REIFSCHNIEDER	279	9.70%
RHONDA MARTIN	893	31.06%
PHIL RAMIREZ	54	1.88%

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:

SECTION 1: The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2: As a result of said Election, and in conformity with the law, the following are hereby declared to be elected: **Bob Allen** is hereby declared to be elected to City Council member, Place 1; and, **Pat Fallon** is hereby declared to City Council member, Place 3.

SECTION 3: Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal

shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that is would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 5: This Ordinance shall be effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this 19th day of May, 2009.

Maher Maso, Mayor

ATTEST:

Jenny Page, City Secretary